

FILED

MAR 5 2012

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANASTASHA SMITH,

Defendant.

No. CR 12-70260 MAG (DMR)

DETENTION ORDER

I. DETENTION ORDER

Defendant Anastasha Smith is charged in a criminal complaint filed in the District of South Carolina with a violation of 18 U.S.C. § 751 (escape). On March 5, 2012, the United States moved for Ms. Smith's detention and asked for a detention hearing, as permitted by 18 U.S.C. § 3142(f). Defendant waived the timing of her right to proffer information in support of her pretrial release, *see* 18 U.S.C. § 3142(f) (a defendant has the right at a section 3142(f) hearing, with the assistance of counsel, to testify, to present witnesses, to cross-examine adverse witnesses, and to present information by proffer or otherwise), and retained her right to make a proffer at a later proceeding.

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II. CONCLUSION

The Court detains Ms. Smith at this time. Because Defendant waived the timing of her right to present information under 18 U.S.C. § 3142(f) without prejudice, the Court orders that the hearing may be rescheduled at Defendant's request.

Ms. Smith shall remain committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. Defendant shall be afforded reasonable opportunity for private consultation with counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which Defendant is confined shall deliver Defendant to a United States marshal for the purpose of an appearance in connection with a court proceeding.

IT IS SO ORDERED.

DATED: March 5, 2012



DONNA M. RYU
United States Magistrate Judge